

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****DECLARATION UNDER 37 C.F.R. § 1.131**

1. The following declaration is directed to establishing the date of the invention claimed in U.S. Patent Application No. 09/881142, filed June 14, 2001.

2. I, Paul M. Thomsen am the sole inventor of the claims in the above-referenced application. I was an employee of Hitachi Home Electronics (America), Inc. ("Hitachi") while I invented the subject matter of the above-referenced application.

3. I conceived of the invention as early as September 6, 2000, and I diligently worked in conjunction with in house and independent counsel to file a provisional application on December 1, 2000.

4. From at least September 6, 2000 up until December 1, 2000, in this country I, and/or, on information and belief, Eric Nelson of Knobbe, Martens, Olson & Bear, LLP, Hitachi's outside patent counsel, actively worked in the normal course of managing our workload to prepare and file the above-referenced application.

- On or before September 6, 2000, I drew a sketch documenting aspects of the invention.

- On or before September 6, 2000, I provided to Joseph Smallwood, Corporate Counsel for Hitachi, an Invention Disclosure Form setting forth a proposal of the invention (the "Proposal").

- On or before September 6, 2000, I provided to Joseph Smallwood an amendment to the Proposal (the "Amendment"). See Attachment A, which is a copy of the Proposal with Hitachi and third party proprietary information, as well as certain dates redacted.

- During the period from September 6, 2000 to September 29, 2000, during the normal course of managing my workload, I scheduled and prepared for an invention disclosure meeting with Eric Nelson.

- On September 29, 2000 I attended an invention disclosure meeting with Eric Nelson and Joseph Smallwood.

- During the period from September 29, 2000 to October 18, 2000, on information and belief, Eric Nelson conducted a patentability search for the invention, drafted a report of the search and sent the report to Joseph Smallwood and myself.

- During the period from October 18, 2000 to November 12, 2000 I received and during the normal course of managing my workload reviewed a patentability search report from Eric Nelson. I also prepared the Proposal and the Amendment for delivery to Eric Nelson for his use in preparing a provisional application.

- On November 12, 2000, I sent the Proposal and the Amendment to Eric Nelson.

- During the period between November 12, 2000 and November 27, 2000, on information and belief, in the normal course of managing his docket, Eric Nelson developed and produced a draft of the provisional application, describing the presently claimed invention.

- On November 27, 2000, I received a draft specification directed to the above-referenced application from Eric Nelson for review by me and Joseph Smallwood. That November 27, 2000 specification described the presently claimed invention.

- On November 28, 2000, I conferred with Eric Nelson regarding the November 27, 2000 draft.

- During the period between November 28, 2000 and December 1, 2000, on information and belief, in the normal course of managing his docket Eric Nelson revised the November 27, 2000 draft according to comments received during the November 28, 2000 conference.

- On December 1, 2000, I filed provisional application 60/250,835, entitled "System and Method for Selecting Text on Television Display."

#### Penalty of Perjury Statement

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 10001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Dated: January 24, 2006

By: \_\_\_\_\_

Paul M. Thomsen